

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

JUDGMENT ORDER

For the reasons set forth in the memorandum opinion filed herewith, Plaintiff's motion to dismiss this action and for the Court to not charge him with the filing fee [Doc. 6] is **GRANTED in part** to the extent that this action is **DISMISSED** and **DENIED in part without prejudice** to the extent that Plaintiff requests that the Court not charge him the filing fee. Because the Court **CERTIFIED** in the memorandum opinion that any appeal from this dismissal would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24. The Clerk is **DIRECTED** to **CLOSE** the file.

ENTER:

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

LeAnna R. Wilson

CLERK OF COURT